

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
VISCOGLIOSI BROTHERS, LLC,

Plaintiff,

-against-

OLYMPUS CORPORATION, OLYMPUS  
BIOTECH CORPORATION and JOHN DOES 1-25,

Defendants.  
-----X

Civ. Action No.: 13-4681 (JGK)

**NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE PURSUANT TO  
FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Fed. R. Civ. P. 41 (a)(1)(A)(i), plaintiff Viscogliosi Brothers, LLC, by and through its counsel, hereby gives notice that the above-captioned action is voluntarily dismissed, without prejudice, each party to bear its own fees and costs.

Dated: November 6, 2013

HERRICK, FEINSTEIN LLP

By: 

Arthur Jakoby

Paul H. Schafhauser

One Gateway Center

Newark, NJ 07102

(973) 274-2098

[pschafhauser@herrick.com](mailto:pschafhauser@herrick.com)

Counsel for Plaintiff

Viscogliosi Brothers, LLC